

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Philip Quow and Clyde Reaves,
on behalf of themselves and
all other persons similarly
situated,

Plaintiffs,

- vs. -

Accurate Mechanical Inc.,
John O'Shea, and Daniel
Reilly,

Defendants.

DOCKET NO. 15-CV-9852
(WHP) (JCF)

ORDER

BEFORE Pauley, J., U.S.D.J.:

THIS MATTER having been brought before the Court upon motion of the law firm of Samuel & Stein, attorneys for plaintiffs, seeking to conditionally certify a Fair Labor Standards Act collective action and authorize notice to be issued to all persons similarly situated and related relief, and the Court, having reviewed the said motion, the responses and replies thereto, if any, and for other good cause,

IT IS HEREBY ORDERED that the Motion by counsel for plaintiffs is hereby granted; and it is **FURTHER ORDERED** that

1. The collective action notice entitled "NOTICE OF LAWSUIT AND OPPORTUNITY TO JOIN" submitted as ~~Exhibit F attached to the Declaration of Stein,~~ ^{attached to 6/15/16 letter from David Stein (ECF No. 32)} and the opt-in form entitled "CONSENT TO JOIN COLLECTIVE ACTION AND BECOME A PARTY PLAINTIFF" submitted as Exhibit G attached to the Declaration of Stein, are hereby approved for mailing to potential collective action opt-in plaintiffs; ^{WHP}
2. The collective class of potential plaintiffs in this matter shall consist of all current and former plumbers, steamfitters, sprinkler mechanics, and the like, employed by Accurate Mechanical Inc. at any time on or after May 17, 2013 to the date of this Order;

3. Defendants shall provide to plaintiffs' counsel, in machine-readable form, the full names and last-known addresses and email addresses of all potential plaintiffs who worked in the above positions from on or after May 16, 2013 to date no later than ten (10) days after the date of this Order;
4. Plaintiffs shall mail the notice of collective action to all potential collective action opt-in plaintiffs no later than ten (10) days following defendants' disclosure of their names and last-known addresses. The notice shall be dated the exact date of the initial mailing and the deadline date set forth in the notice shall be the date exactly sixty (60) days thereafter;
5. If any notice to any potential collective action opt-in plaintiff is returned as undeliverable, plaintiffs' counsel is permitted to mail the notice to any such persons again at any other address he may determine is appropriate. However, this shall not extend the sixty (60) day opt-in deadline from the date of the initial mailing; and
6. All potential collective action plaintiffs must opt-in no later than sixty (60) days following the date of the initial mailing of the collective action notice by returning the executed form entitled "CONSENT TO JOIN COLLECTIVE ACTION AND BECOME A PARTY PLAINTIFF" in sufficient time for it to be filed with the Court no later than sixty (60) days from the date of the initial mailing. Plaintiffs' counsel shall thereupon promptly file such executed consents with the Court.

Dated: June 16, 2016

SO ORDERED:



WILLIAM H. PAULEY III
U.S.D.J.